

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**ROCKWOOD CASUALTY INSURANCE CO.'S LIMITED OBJECTION
AND RESERVATION OF RIGHTS TO NOTICE OF EXECUTORY
CONTRACTS THAT MAY BE ASSUMED AND ASSIGNED
IN CONNECTION WITH THE SALE TRANSACTIONS**

Rockwood Casualty Insurance Co. (“Rockwood”) tenders this Limited Objection and Reservation of Rights (the “Objection”) to the *Notice of Executory Contracts that may be Assumed and Assigned in Connection with the Sale Transactions* (Doc. No 213) (the “Notice”), of which the following is a statement:

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number are: Wilson Creek Energy (6202); Wilson Creek Holding, Inc. (7733); Maryland Energy Resource, LLC (5299); Mincorp Acquisition Corp. (4858); Mincorp Inc. (5688); PBS Coals, Inc. (2413); Roxcoal, Inc. (3768); Quecreek Mining, Inc. (1745); Croner, Inc. (0529); Elk Lick Energy, Inc. (8551); and Corsa Coal Corp. (0027). The Debtors' address is 1576 Stoystown Road, Friedens, Pennsylvania 15541.

1. On January 6, 2025 (the “Petition Date”), the Debtors each filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). On January 6, 2025, the Court entered an order [Docket No. 30] directing joint administration of these bankruptcy cases.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334(b) and 157. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This Court also has authority to exercise power over the administration of this case under 11 U.S.C. § 105.

3. On January 16, 2025, the *Debtors filed Debtors’ Motion for Entry of Orders (A) Approving Sale of All or Substantially All of the Debtors’ Assets Free and Clear of All Liens, Claims, Encumbrances, and Interests, (B) Approving Bidding Procedures for the Sale of All or Substantially All of the Debtors’ Assets, (C) Authorizing the Debtors to Designate Stalking Horse Bidder and Approving Proposed Stalking Horse Bid Protections, (D) Scheduling Auction for and Hearing to Approve Sale of the Debtors’ Assets, (E) Approving Form and Manner of Notice of Sale, Auction, and Sale Order Hearing, (F) Approving Assumption and Assignment Procedures, (G) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases, and (H) Granting Related Relief* (Doc. No. 116) (the “Motion”), which was granted by Court Order dated January 28, 2025 (Doc. No. 193) (the “Order”).

4. In connection therewith on February 3, 2025, Debtors also filed the Notice, which identifies Rockwood’s contracts on Schedule 1, pp.8-9.

5. Rockwood herein objects to the assumption/assignment of its contracts because Rockwood is contracted to provide workers compensation coverage, which in most cases is statutorily prohibited from being assigned.

6. Rockwood is willing to speak further with Debtors or any potential purchasers about this but files this objection out of an abundance of caution to make its position clear to all interested parties.

7. Rockwood herein reserves any rights to demand a cure amount and/or adequate protection. The applicable premium(s) on these contracts are paid in arrears, thus no amount is currently outstanding. Whether arrears may exist as of the date of assumption/assignment is yet to be determined.

8. Rockwood further reserves any rights to argue whether its contracts are executory such that they can be assumed/assigned.

WHEREFORE, Rockwood objects and requests that all of their rights be deemed to have been reserved pending final orders on the Motion, Notice, and/or any related pleadings and expressly reserve and preserve all rights to raise any object to the requested relief.

LEECH TISHMAN FUSCALDO & LAMPL,
LLC

Dated: February 24, 2025

By:/s/ John M. Steiner

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*Counsel for Creditor, Rockwood Casualty
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CERTIFICATE OF SERVICE

I, the undersigned, am an individual eighteen years of age or older, hereby certify that on this 24th day of February, 2025, I caused the foregoing document to be served on all parties receiving notice and service in this case through the Court's CM/ECF electronic filing service, which served the same on the parties receiving notice via the CM/ECF system.

LEECH TISHMAN FUSCALDO & LAMPL,
LLC

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